

From: John F. Sowa
To: Microsoft ATR
Date: 11/16/01 11:23pm
Subject: Need for tougher penalties

I have been working in the computer field for nearly 40 years. I am retired now, but I am amazed at the complete absence of any serious penalties against Microsoft.

IBM and the DOJ signed much tougher consent decrees, which were in force for many years, even though IBM was never convicted of anything.

Microsoft has been found guilty of illegally extending their monopoly, and the conviction was unanimously upheld by the Court of Appeals. The "interim relief" levied by Judge Jackson was far tougher than the final remedy agreed to by the DOJ.

But the proposed settlement includes no penalties at all. The most it does is to compel Microsoft to obey the laws that they have been brazenly violating at every opportunity.

I can understand that breaking up Microsoft might be difficult to carry out, but such a penalty was enforced against AT&T when it was a far large monopoly.

Recommendation:

1. Impose Judge Jackson's "interim remedies" immediately.
2. The DOJ should negotiate further penalties while the interim remedies are in force.
3. As a minimum penalty, Microsoft should be forced to pay the full legal costs of the DOJ and the states that have joined with the DOJ.

The DOJ is a lot bigger and a lot more powerful than Microsoft. They should take off the kid gloves and tell Microsoft that it is time to negotiate seriously.

Sincerely,

John F. Sowa
An American voter and taxpayer

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